

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC.,)
a California Corporation,)
)
Plaintiff and)
Counterclaim-Defendant,)
)
v.) C. A. No. 04-1199 (SLR)
)
INTERNET SECURITY SYSTEMS, INC.,)
a Delaware Corporation, INTERNET)
SECURITY SYSTEMS, INC., a Georgia)
Corporation, and SYMANTEC)
CORPORATION, a Delaware Corporation,)
)
Defendants and)
Counterclaim-Plaintiffs.)

**SECOND DECLARATION OF DAVID E. MOORE IN SUPPORT OF DEFENDANT ISS'
AND SYMANTEC'S JOINT MOTION FOR SUMMARY JUDGMENT THAT THE
PATENTS-IN-SUIT ARE VALID FOR FAILURE TO DISCLOSE THE BEST MODE**

Richard L. Horwitz (#2246)
David E. Moore (#3983)
POTTER ANDERSON & CORROON LLP
Hercules Plaza 6th Floor
1313 N. Market Street
Wilmington, DE 19801
rhorwitz@potteranderson.com
dmoore@potteranderson.com

OF COUNSEL:

Holmes J. Hawkins III
Natasha H. Moffitt
KING & SPALDING LLP
1180 Peachtree Street
Atlanta, GA 30309

Theresa A. Moehlman
KING & SPALDING LLP
1185 Avenue of the Americas
New York, New York 10036

*Attorneys for Defendants Internet Security
Systems, a Delaware Corporation and Internet
Security Systems, a Georgia Corporation*

Dated: June 16, 2006

Public Version Dated: June 22, 2006

Richard K. Herrmann (#405)
Mary B. Matterer (#2696)
MORRIS JAMES HITCHENS & WILLIAMS LLP
222 Delaware Avenue, 10th Floor
Wilmington, DE 19801
rherrmann@morrisjames.com
mmatterer@morrisjames.com

OF COUNSEL:

Lloyd R. Day, Jr.
Robert M. Galvin
Paul S. Grewal
DAY, CASEBEER MADRID &
BATCHELDER LLP
20300 Stevens Creek Blvd.
Cupertino, CA 95014

Michael J. Schallop
Symantec Corporation
20330 Stevens Creek Blvd.
Cupertino, CA 95014

Attorneys for Defendant Symantec Corporation

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SRI INTERNATIONAL, INC., a)
California Corporation,)
Plaintiff,)
v.) C. A. No.: 04-1199 (SLR)
INTERNET SECURITY SYSTEMS, INC.,)
a Delaware Corporation, INTERNET)
SECURITY SYSTEMS, INC., a Georgia)
Corporation, and SYMANTEC)
CORPORATION, a Delaware Corporation,)
Defendants and
Counterclaim-Plaintiffs.

DECLARATION OF DAVID E. MOORE

I, David E. Moore, hereby declare as follows:

1. I am associated with Potter, Anderson & Carroon LLP, counsel of record in this action for Internet Security Systems, Inc. I make this Declaration in support of "Defendants' ISS and Symantec's Joint Motion For Summary Judgment That The Patents-In-Suit Are Invalid For Failure To Disclose The Best Mode" and would and could competently testify to the matters set forth below if called upon to do so.
2. Attached hereto as Exhibits A-D are true and correct copies of U.S. Patent Nos. 6,321,338 ("the '338 patent"), 6,484,203 ("the '203 patent"), 6,711'615 ("the '615 patent") and 6,708,212 ("the '212 patent").

3.

REDACTED

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REDACTED

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13. Attached hereto as Exhibit O is a true and correct copy of the Lincoln
Labs Evaluation Schedule available at
<http://www.ll.mit.edu/IST/ideval/docs/1998/introduction/sld007.htm>.

14.

REDACTED

15.

16.

17.

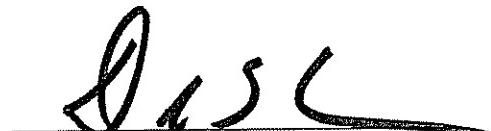
REDACTED

18. Attached hereto as Exhibit T is a true and correct copy of Order Granting Plaintiffs Motion To Compel, *Silicon Graphics, Inc. v. nVIDIA Corp.*, Civil Action No. 98-188-RRM, pp. 1-2 (D. Del. December 29, 1998).

19. Attached hereto as Exhibit U is a true and correct copy of the January 6, 1995 Conference on a Motion to Compel in *Georgia-Pacific Corp. v. United States Gypsum Co.*, Civil Action No. 94-489-RRM.

20. Attached hereto as Exhibit V Attached are true and correct copies of selected pages of the Deposition Transcript of George Kesidis.

EXECUTED this 16th day of June, 2006 in Wilmington, Delaware.



David E. Moore

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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on June 22, 2006, the foregoing document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

John Horvath
Fish & Richardson P.C.
919 N. Market Street, Suite 1100
P. O. Box 1114
Wilmington DE 19899

Richard K. Herrmann
Morris James Hitchens & Williams LLP
222 Delaware Avenue, 10th Floor
P.O. Box 2306
Wilmington, DE 19899-2306

I hereby certify that on June 22, 2006, I have Federal Expressed the attached document to the following non-registered participants:

Howard G. Pollack
Michael J. Curley
Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
pollack@fr.com
curley@fr.com

Paul S. Grewal
Day Casebeer Madrid & Batchelder LLP
20300 Stevens Creek Boulevard
Suite 400
Cupertino, CA 95014
pgrewal@daycasebeer.com

/s/ David E. Moore

Richard L. Horwitz
David E. Moore
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 North Market Street
Wilmington, DE 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com